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April 6, 2023

VIA E.C.F. AND ELECTRONIC MAIL

Hon. Valerie E. Caproni  
United States District Court Judge  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

USDC SDNY  
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**MEMO ENDORSED**

Re: United States v. Diego Mateo, 19 Cr. 862 (VEC) – Extension of Time to File Motion to Withdraw Plea

Dear Judge Caproni:

With the consent of the government, we write to request a 2-week extension of time to file a motion to withdraw Mr. Mateo's plea. On March 30, 2023, the Court issued an Order, adjourning sentencing sine die. Further, the Court's Order required defense counsel to either file a motion withdrawing Mr. Mateo's plea, or a letter seeking a Fatico Hearing, by April 7, 2023. After conferring with Mr. Mateo, defense counsel intends to file a motion to withdraw Mr. Mateo's plea. However, counsel will need additional time to file the motion. We were only able to confer with Mr. Mateo regarding this matter on Tuesday, April 4, 2023. By that time, Mr. Mateo had received his medications, stabilizing his diabetes, and as a result, was in a better position to discuss this matter with counsel. Counsel will need additional time to confer with Mr. Mateo, prior to filing the motion to withdraw his plea. Further, counsel have personal commitments coming in the next week. An additional 2 weeks will provide enough time to adequately meet and discuss with him. Accordingly, we request a 2-week extension of time to file a motion to withdraw a plea in this matter.

Respectfully Submitted,

/s/

Karloff C. Commissiong, Esq.  
Elizabeth Macedonio, Esq.  
Lauren DiChiara, Esq.

Cc: A.U.S.A. Adam Hobson (via ECF and Electronic Mail)  
A.U.S.A. David Robles (via ECF and Electronic Mail)

Application GRANTED. Any motion to withdraw Mr. Mateo's guilty plea is due by **April 21, 2023**. The Government's response is due by **April 28, 2023**, and the Defendant's reply is due by **May 5, 2023**. The Court is unlikely to grant any further extension requests absent good cause.

SO ORDERED.



04/06/2023

HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE